

Florida Department of Highway Safety and Motor Vehicles
Division of Motorist Services

PROCEDURE RS-50	SUBJECT: WITHHOLDING REGISTRATION FOR FAILURE TO PAY FINES (D6), DELINQUENT SUPPORT, A BAD CHECK, DRIVING UNDER THE INFLUENCE, UNPAID REGISTRATION FEES TO A DEALER, FAILURE TO COMPLY AND/OR APPEAR FOR A RED LIGHT CAMERA NOV HEARING , FAILURE TO SURRENDER VEHICLE/VESSEL, OR A WRECKER OPERATOR'S LIEN
<p>I. PROVISIONS OF LAW:</p> <p>Section 318.15(a), Florida Statutes, provides the authorization for the department to withhold the license plate or revalidation sticker for any motor vehicle owned or co-owned by that person found not to be compliant with the payment and/or payment plan of a red light citation pursuant to Section 316.074 (1) or Section 316.075 (1)(c)(1), failure to comply with an order of the clerk/local hearing officer and/or failure to appear at a requested hearing.</p> <p>Section 320.02(12), Florida Statutes, provides for the department to withhold the registration or re-registration of a motor vehicle when the owner or one of the co-owners of the vehicle has a driver license which is under suspension for the failure to remit payment of any fines levied in this state pursuant to Chapter 318 or Chapter 322, Florida Statutes.</p> <p>Section 320.02(16), Florida Statutes, provides for the department to withhold the registration or re-registration of a motor vehicle if the name of the owner or a co-owner appears on a list submitted to the department by a licensed motor vehicle dealer for a previous registration of that vehicle. The department shall place the name of the registered owner of that vehicle on the list of those persons who may not be issued a license plate, revalidation sticker, or replacement plate for the vehicle purchased from the licensed motor vehicle dealer. The motor vehicle dealer must maintain signed evidence that the owner or co-owner acknowledged the dealer's authority to submit the list to the department if he or she failed to pay and must note the amount for which the owner or co-owner would be responsible for the vehicle registration. The dealer must maintain the necessary documentation required in this subsection or face penalties as provided in s. 320.27, Florida Statutes. This subsection does not affect the issuance of a title to a motor vehicle.</p>	
<p><i>Revision(s) to this procedure:</i></p>	
<p>DESCRIPTION AND USE: THIS PROCEDURE PROVIDES INFORMATION AND INSTRUCTIONS TO ASSIST TAX COLLECTOR EMPLOYEES, LICENSE PLATE AGENCY EMPLOYEES, AND THE DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES FOR WITHHOLDING MOTOR VEHICLE OR VESSEL REGISTRATION WHEN ONE OF THE OWNERS HAS FAILED TO PAY FINES (D6), IS DELINQUENT ON SUPPORT, HAS PAID REGISTRATION, TAX LIABILITY, PENALTY, OR INTEREST WITH A BAD CHECK, HAD DRIVER LICENSE SUSPENDED FOR DRIVING UNDER THE INFLUENCE, HAS UNPAID REGISTRATION FEES TO A DEALER, FAILURE TO COMPLY AND/OR APPEAR FOR A RED LIGHT CAMERA NOV HEARING OR HAS BEEN REPORTED FOR A WRECKER OPERATOR'S LIEN.</p>	
<p>EFFECTIVE DATE</p> 07/01/2013	<p>REVISION DATE</p> 06/14/13

Division of Motorist Services

PROCEDURE # RS-50	SUBJECT: WITHHOLDING REGISTRATION FOR FAILURE TO PAY FINES (D6), DELINQUENT SUPPORT, A BAD CHECK, DRIVING UNDER THE INFLUENCE, UNPAID REGISTRATION FEES TO A DEALER, FAILURE TO COMPLY AND/OR APPEAR FOR A RED LIGHT CAMERA NOV HEARING , FAILURE TO SURRENDER VEHICLE/VESSEL, OR A WRECKER OPERATOR'S LIEN
<p>Section 320.02(16)(a), Florida Statutes, reads: The motor vehicle owner or co-owner may dispute the claim that money is owed to a dealer for registration fees by submitting a form to the department if the motor vehicle owner or co-owner has documentary proof that the registration fees have been paid to the dealer for the disputed amount. Without clear evidence of the amounts owed for the vehicle registration and repayment, the department will assume initial payments are applied to government-assessed fees first.</p> <p>Section 320.02(16)(b), Florida Statutes, reads: If the registered owner's dispute complies with paragraph (a), the department shall immediately remove the motor vehicle owner or co-owner's name from the list, thereby allowing the issuance of a license plate or revalidation sticker.</p> <p>Section 320.03(8), Florida Statutes, provides for the department to withhold registration if an applicant's name appears on a list referred to in s. 713.78(13), Florida Statutes, for which a license plate or revalidation sticker may not be issued until that person's name no longer appears on the list or until the person presents a receipt from the governmental entity or the clerk of court that provided the data showing that the fines outstanding have been paid.</p> <p>Section 320.055(1) (c), Florida Statutes, provides that the owner of a motor vehicle subject to s. 320.055(1) (a), Florida Statutes, who has had his or her driver's license suspended pursuant to a violation of s. 316.193 or 322.26(2), Florida Statutes, for driving under the influence, must obtain a 6 month registration as a condition of reinstating the license, subject to renewal during the 3 year period that financial responsibility requirements apply.</p> <p>Section 320.18(1), Florida Statutes, provides for the department to withhold the registration of any motor vehicle or mobile home when any tax liability, penalty or interest is paid by a dishonored check.</p> <p>Section 322.058, Florida Statutes, provides for registration stops to be placed on motor vehicle registration records when a driver license is suspended for a delinquent support obligation on vehicles solely owned by that person.</p> <p>Section 328.42(1), Florida Statutes, provides for the department to establish an automated method for periodically disclosing information relating to current owners of registered vessels to the Department of Revenue. The department shall, when directed by the court or the Department of Revenue, deny or suspend the vessel registration of any applicant found to have a delinquent support obligation.</p> <p>Section 328.42(2), Florida Statutes, provides for the department to deny or cancel any vessel registration if the owner pays for the registration by a dishonored check.</p>	
PAGE #	RS-50-02

Division of Motorist Services

PROCEDURE # RS-50	SUBJECT: WITHHOLDING REGISTRATION FOR FAILURE TO PAY FINES (D6), DELINQUENT SUPPORT, A BAD CHECK, DRIVING UNDER THE INFLUENCE, UNPAID REGISTRATION FEES TO A DEALER, FAILURE TO COMPLY AND/OR APPEAR FOR A RED LIGHT CAMERA NOV HEARING , FAILURE TO SURRENDER VEHICLE/VESSEL, OR A WRECKER OPERATOR'S LIEN
<p>Section 713.78(13), Florida Statutes, provides that the wrecker operator may submit a notice, to the department, on forms provided by the department, claiming a lien for recovery, towing and storage of an *ABANDONED vehicle, vessel or mobile home, for which a certificate of destruction has been issued. The department shall place the name of the registered owner of that vehicle, vessel or mobile home, on the lists of those persons who may not be issued a license plate or revalidation sticker for any motor vehicle under s. 320.03(8), Florida Statutes. If the vehicle is jointly owned, the name of each registered owner shall be placed on the list.</p> <p>*Any law enforcement tow from public property. A code enforcement or private tow would NOT be applicable.</p> <p>NOTE: Any time law enforcement authorizes a tow from private property, it is considered a "private tow." A person's property or a business address (Wal-Mart, Sears, etc.) is considered private property. A vehicle/vessel sitting beside the highway is public. A certificate of destruction may be issued for a private or a public tow, however, if the vehicle was towed from private property, a wrecker operator's lien may not be placed against the owner.</p> <p>Section 713.01(1), Florida Statutes, defines "Abandoned Property" as all tangible personal property (vehicle, mobile home, or vessel) that has been disposed of on PUBLIC property in a wrecked, inoperative or partially dismantled condition.</p> <p>Section 713.78(13)(b), Florida Statutes, states that the amount of the wrecker operator's lien for which the department will prevent issuance of a license plate or revalidation sticker may not exceed the amount of the charges for recovery, towing, and storage of the vehicle or vessel for 7 days.</p> <p>Section 713.78(13)(c), Florida Statutes, provides for the registered owner of a vehicle, vessel or mobile home to dispute a wrecker operator's lien, by notifying the department on forms provided by the department, if certain criteria applies.</p> <p>Section 713.78(13)(d), Florida Statutes, provides for the wrecker operator to issue a certificate of discharge to each registered owner of the vehicle, vessel or mobile home, on forms provided by the department, upon payment for the lien.</p> <p>II. PROGRAM BACKGROUND AND SPECIAL INSTRUCTIONS:</p> <p>A. FAILURE TO PAY FINES (D6):</p> <p>The provisions of Chapters 318, Disposition of Traffic Infractions and 322, Driver Licenses, as they relate to motor vehicle registrations, allow for the suspension of a driver license upon failure to comply with directives ordered by traffic court. This type of suspension is known as a D6 Suspension. Upon suspension of a driver license, the department has authority to prohibit vehicle registrations and renewals. As a result, when an owner or one of the co-owners of a motor vehicle has a driver license under suspension for failure to pay fines, the department is directed to withhold motor vehicle registration. The individual may process a title and original registration or transfer an existing license plate. However, an extension of the registration period on existing registrations cannot be processed until the D6 has been cleared and the driver's license reinstated.</p>	
PAGE #	RS-50-03

STATE OF FLORIDA
Division of Motorist Services

PROCEDURE # RS-50	SUBJECT: WITHHOLDING REGISTRATION FOR FAILURE TO PAY FINES (D6), DELINQUENT SUPPORT, A BAD CHECK, DRIVING UNDER THE INFLUENCE, UNPAID REGISTRATION FEES TO A DEALER, FAILURE TO COMPLY AND/OR APPEAR FOR A RED LIGHT CAMERA NOV HEARING , FAILURE TO SURRENDER VEHICLE/VESSEL, OR A WRECKER OPERATOR'S LIEN
<p>NOTE: This law does not apply to mobile homes, parking permits, or vessels.</p> <p>NOTE: When a Tax Collector office is removing or satisfying a failure to pay fines (D6) stop, the user must create a scan coversheet with proof of payment of fines documentation or verification of error documentation and submit this to the Department to be imaged.</p> <p>B. DISHONORED (BAD) CHECK (BC):</p> <p>The department may withhold the registration of any motor vehicle or mobile home when any tax liability, penalty, or interest is paid by a dishonored check.</p> <p>The department may deny or cancel any vessel registration if the owner pays for the registration by a dishonored check.</p> <p>NOTE: For further information, refer to DMS Procedure BA-4, Reimbursement For Insufficient Fund Checks, issued by the Bureau of Accounting.</p> <p>NOTE: If a customer submits payment for their insufficient fund check to the tax collector's office or license plate agency (after the agency has received reimbursement from the department) and the stop is dated prior to 03/01/04, the agency may call the Bureau of Accounting at (850) 617-3205 to have the stop removed.</p> <p>However, if the stop is dated 03/01/04 or later, it may be removed by the tax collector's office or license plate agency, if the bad check stop has a check number.</p> <p>NOTE: Payments for bad check stops listed in FRVIS can ONLY be taken by the originating county where the bad check was accepted for payment.</p> <p>NOTE: When a Tax Collector office is removing or satisfying a dishonored bad check stop, the user must create a scan coversheet with proof of payment of fines documentation or verification of error documentation and submit this to the Department to be imaged.</p> <p>C. DEPARTMENT OF TRANSPORTATION (DOT) STOPS (FP):</p> <p>The Department of Transportation has the authority to place a DOT stop against a customer's license plate for an unpaid DOT fine(s). The customer must contact DOT at 850-245-7900 to clear any stop against their license plate.</p> <p>NOTE: When a DOT office is removing or satisfying a DOT stop, no scan coversheet will be created and no documentation will be imaged.</p> <p>D. DELINQUENT SUPPORT (CS):</p> <p>If the individual becomes delinquent on his/her required support payments, the department will be notified and directed to suspend the person's driver license and to withhold registration on any motor vehicle or vessel that is "SOLELY OWNED" (means the motor vehicle or vessel is in one name and has no co-owner(s)). The individual may process a title and original registration or transfer an existing license plate or Florida registration number. However, an extension of the registration period on existing registrations cannot be processed until the support suspension has been cleared and the driver's license reinstated.</p>	

STATE OF FLORIDA
Division of Motorist Services

PROCEDURE

RS-50

SUBJECT:

WITHHOLDING REGISTRATION FOR FAILURE TO PAY FINES (D6), DELINQUENT SUPPORT, A BAD CHECK, DRIVING UNDER THE INFLUENCE, UNPAID REGISTRATION FEES TO A DEALER, **FAILURE TO COMPLY AND/OR APPEAR FOR A RED LIGHT CAMERA NOV HEARING**, FAILURE TO SURRENDER VEHICLE/VESSEL, OR A WRECKER OPERATOR'S LIEN

1. Court Ordered Suspensions - When a court order is issued and support is involved, the court order will specify the individual's name that is required to pay support along with the required amount of payment.

If the court originally ordered the support suspension, it will supply an additional court order specifying the removal. The customer must submit the court order to a tax collector/driver license office (dual office) and pay the reinstatement fee.

FRIS must be online to process the transaction. Once it is cleared through FDLIS, FRVIS is updated at that time, and the Delinquent Support stop is cleared and removed.

2. Department of Revenue (DOR) Suspensions - The customer must contact the appropriate Child Support Service Center at <http://dor.myflorida.com/dor/childsupport/phone.html> to arrange payment for the delinquent support.

Once arrangements have been made, DOR will electronically submit Delinquent Support clearances, thereby notifying the Department of compliance electronically. Once received electronically, the Delinquent Support stop will be cleared and removed in FDLIS and FRVIS. The customer must visit a tax collector/driver license office (dual office) and pay the driver license reinstatement fee.

NOTE: DOR no longer provides paper clearances/affidavits for reinstatement; therefore, the Department will not accept any paper clearances or affidavits of reinstatement from DOR.

NOTE: This law does not apply to mobile homes or parking permits.

NOTE: A "delinquent support" stop is against the person's driver license, which stops ALL of the person's registration activities that are "SOLELY OWNED". This stop should not be confused with a "subsequent lien" stop placed against a specific vehicle/vessel title record by the state child support enforcement program. These "subsequent lien" stops do not prevent registration activity for the vehicle/vessel; they only prevent the transfer of the certificate of title for the vehicle/vessel. For information concerning these liens,

STATE OF FLORIDA
Division of Motorist Services

PROCEDURE #	SUBJECT:
RS-50	WITHHOLDING REGISTRATION FOR FAILURE TO PAY FINES (D6), DELINQUENT SUPPORT, A BAD CHECK, DRIVING UNDER THE INFLUENCE, UNPAID REGISTRATION FEES TO A DEALER, FAILURE TO COMPLY AND/OR APPEAR FOR A RED LIGHT CAMERA NOV HEARING , FAILURE TO SURRENDER VEHICLE/VESSEL, OR A WRECKER OPERATOR'S LIEN

E. DRIVING UNDER THE INFLUENCE (DU) STOP:

This stop is placed by the Division of Motorist Services on the customer's record when the owner of a motor vehicle has had his/her driver license suspended for driving under the influence. The customer must obtain a 6 month registration as a condition of reinstating the license, subject to renewal during the 3 year period that financial responsibility requirements apply.

At the time the stop is placed, both an effective date and a clear date are entered. FRVIS must check both dates to determine if the stop is in effect. Only DMS will be allowed to modify or remove the stop.

NOTE: Since a Driving Under the Influence stop can only be modified or removed by DMS, no scan coversheet will be created and no documentation will be imaged.

F. UNPAID FEES (FAILURE TO PAY DEALER FOR REGISTRATION) (UF):

This stop is placed against a particular registration where the owner failed to pay the dealer for an original or transfer of registration. Therefore, it will prevent ANY activity on this registration until the stop is cleared. This stop will be placed by DMS.

NOTE: In a situation where a customer owes money to the dealer for registration fees and the dealer is out of business, the customer must contact the DMS Regional office. The DMS Regional office will assist the customer and remove the stop when applicable.

1. To Place A Stop:

The request for stop placement must be made to the department. Notification must be in writing on the dealership's letterhead and signed by an authorized agent of the dealership. Notification must include the vehicle identification number, the license plate number, the name and driver license number of the customer, the amount owed and proof that the title and registration fees were separated on or from the invoice. The dealership must maintain signed evidence that the owner or co-owner acknowledged the dealer's authority to submit the list to the department if he or she failed to pay and must note the amount for which the owner or co-owner would be responsible for the vehicle registration.

A copy of the form HSMV 82041 and registration must be submitted along with all required documentation. This notification must be mailed to:

Department of Highway Safety and Motor Vehicles
2900 Apalachee Parkway, MS-98, Tallahassee, FL 32399

NOTE: When a stop is being created for Unpaid Fees, the user (DHSMV) must create a scan coversheet with the necessary documentation as required in II. F. 1 and submit this to the Department to be imaged.

PAGE #

RS-50-06

STATE OF FLORIDA
Division of Motorist Services

PROCEDURE #

RS-50

SUBJECT:

WITHHOLDING REGISTRATION FOR FAILURE TO PAY FINES (D6), DELINQUENT SUPPORT, A BAD CHECK, DRIVING UNDER THE INFLUENCE, UNPAID REGISTRATION FEES TO A DEALER, **FAILURE TO COMPLY AND/OR APPEAR FOR A RED LIGHT CAMERA NOV HEARING**, FAILURE TO SURRENDER VEHICLE/VESSEL, OR A WRECKER OPERATOR'S LIEN

2. To Remove A Stop:

The request to remove the stop must be submitted to the tax collector's office or license plate agency. Notification to remove the stop must be in writing on the dealership's letterhead and signed by an authorized agent of the dealership. The request must include the vehicle identification number, the license plate number, the name and driver license number of the customer and the amount paid.

NOTE: When a Tax Collector office is removing or satisfying a stop for Unpaid Fees, the user must create a scan coversheet with proof of payment of fines documentation or verification of error documentation and submit this to the Department to be imaged.

3. Customer Wishes to Dispute a Registration Stop for Unpaid fees:

The customer may submit a completed form HSMV 82078, Notification of Dispute of Registration Fees Paid to a Dealer for a Motor Vehicle, to dispute a registration stop for unpaid fees along with documented proof that the fees have been paid to the dealer for the disputed amount. This form is located on the department's website at <http://www.flhsmv.gov/dmv/forms/BTR/82078.pdf> and must be mailed to:

Department of Highway Safety and Motor Vehicles,
2900 Apalachee Parkway, MS-98, Tallahassee, FL 32399

The Department will review the completed form and if it is in order, the Department will remove the stop.

NOTE: When removing or satisfying a stop for Unpaid Fees, the user (DHSMV) must create a scan coversheet with the necessary documentation as required in II. F. 3 and submit

this to the Department to be imaged.

G. RED LIGHT CAMERA VIOLATIONS

A registered owner or coowner of a motor vehicle, or the person designated as having the care, custody or control of the motor vehicle at the time of the violation, or an authorized representative of the owner, coowner, or designated person who receives a Notice of Violation (NOV) under Section 316.074(1) or Section 316.075(1)(c) and fails to exercise their right to pay the fine, adhere to a payment plan or order of the court or fails to appear for a requested hearing before a local hearing officer or must have a registration stop placed on their record pursuant to Section 320.03(8). The clerk of the court or local hearing officer will electronically notify the department within 10 days utilizing the FTP procedures after such failure and shall reference the person's driver license number, or in the case of a business entity, vehicle registration number.

1. TO PLACE A STOP:

Only upon electronic notification from the clerk /local hearing officer pursuant to Section 318.15(3) the department or authorized agent thereof, will issue a license plate or revalidation sticker stop for any motor vehicle owned or co-owned by that person pursuant to s. 320.03(8) until the amounts assessed have been fully paid.

The request for stop placement must be made to the department. This information will be electronically submitted to the department utilizing current FTP procedures. See form MPS195. To place the stop you will perform a transaction Type A (Add), Stop Type R (Red Light). The request will include vehicle identification number, the license plate number, the name and driver license number of the customer.

NOTE: When a stop is being created for Red Light Camera violations, the system (DHSMV) will return a stop number assigned to each customer. The specific assigned customer stop number must be used for the clearance action to remove the stop.

2. TO REMOVE A STOP:

A stop placed on a record may only be removed once all outstanding fines and civil penalties are paid pursuant to Section 320.03(8). An electronic request must be made to the department or authorized designee thereof, by the entity issuing the stop via MPS195 requesting the stop to be removed from the record. This will be accomplished by issuing a Type D (Delete) and Stop Type R (Red Light). The request will include vehicle identification number, the license plate number, the name and driver license number of the customer. This will be submitted to the department utilizing current FTP procedures. In the event that a customer visits one of the department's driver license facilities and/or a tax collector office with official proof of payment of all fines and fees, the agent or designated official may manually remove the stop from the person's record.

NOTE: When a stop is being removed for Red Light Camera violations, the system (DHSMV) will utilize the previously assigned customer stop number.

H. WRECKER OPERATOR'S LIEN:

1. ADDING A WRECKER OPERATOR'S LIEN:

A wrecker operator may claim a wrecker operator's lien for recovery, towing, and

storage of an abandoned vehicle, vessel, or mobile home for which a certificate of destruction has been issued. However, the certificate of destruction **MUST** be issued in the towing company's name prior to applying for the wrecker operator's lien.

PAGE #

RS-50-07

STATE OF FLORIDA
Division of Motorist Services

PROCEDURE #

RS-50

SUBJECT:

WITHHOLDING REGISTRATION FOR FAILURE TO PAY FINES (D6), DELINQUENT SUPPORT, A BAD CHECK, DRIVING UNDER THE INFLUENCE, UNPAID REGISTRATION FEES TO A DEALER, **FAILURE TO COMPLY AND/OR APPEAR FOR A RED LIGHT CAMERA NOV HEARING**, FAILURE TO SURRENDER VEHICLE/VESSEL, OR A WRECKER OPERATOR'S LIEN

NOTE: A towing company may place a Wrecker Operator's Lien on an abandoned vehicle or vessel for recovery, towing, and storage of the vehicle or vessel, which may not exceed the amount of the charges for recovery, towing, and storage of the vehicle or vessel for 7 days.

NOTE: If the DMS database shows a "mark title sold" transaction has been processed (prior to the certificate of destruction) and the date of the transaction or the sale date entered into the "Comment Desc." field is prior to the date of tow, a wrecker operator's lien may not be placed. The actual date of sale may differ from the "mark title sold" transaction date.

The wrecker operator must complete and submit a form HSMV 82497 (sections 1 & 2), Notice or Discharge of Wrecker Operator's Lien for a Motor Vehicle, Mobile Home or Vessel, to the tax collector's office or license plate agency in order to process the stop. The tax collector's office will process a "Wrecker Operator's Lien" transaction on the vehicle, vessel, or mobile home. The individual (who the lien has been placed against) may apply for a title to a newly acquired vehicle, vessel, or mobile home and an original registration or transfer an existing license plate. However, an extension of the registration period on existing registrations may not be processed until the stop has been cleared.

NOTE: When a Tax Collector office is processing a Wrecker Operator's Lien, the user must create a scan coversheet with required documentation in Section G. 1 and submit this to the Department to be imaged. The system will print one copy of the form HSMV 82041 with NO bar code, which is to be given to the tow company as a receipt and NOT submitted to the Department.

NOTE: This law does not apply to parking permits.

2. **REMOVAL OF A WRECKER OPERATOR'S LIEN BY A TOWING COMPANY:**

When payment for a wrecker operator's lien has been paid to the towing company, they must discharge/release the lien against the owner and any co-owner(s) by completing a form HSMV 82497 (sections 1 & 3), Notice or Discharge of a Wrecker Operator's Lien for a Motor Vehicle, Mobile Home or Vessel. This completed form must be submitted to the tax collector's office or

license plate agency by the owner(s) or the towing company in order for the stop to be removed.

When the Wrecker Operator Lien stop is removed from a record with multiple owners, the stop will be removed from all owners' records.

NOTE: If the wrecker operator's lien was against the owner AND co-owner, the form HSMV 82497 (Rev. 04/04 or later), Notice of Discharge of a Wrecker Operator's Lien for a Motor Vehicle, Mobile Home or Vessel must specify the name of both owner(s).

PAGE #

RS-50-08

STATE OF FLORIDA
Division of Motorist Services

PROCEDURE #	SUBJECT:
RS-50	WITHHOLDING REGISTRATION FOR FAILURE TO PAY FINES (D6), DELINQUENT SUPPORT, A BAD CHECK, DRIVING UNDER THE INFLUENCE, UNPAID REGISTRATION FEES TO A DEALER, FAILURE TO COMPLY AND/OR APPEAR FOR A RED LIGHT CAMERA NOV HEARING , FAILURE TO SURRENDER VEHICLE/VESSEL, OR A WRECKER OPERATOR'S LIEN
<p>NOTE: When a Tax Collector office is satisfying or removing a Wrecker Operator's Lien, the user must create a scan coversheet with required documentation in Section G. 2 and submit this to the Department to be imaged. The system will print one copy of the form HSMV 82041 with NO bar code, which is to be given to the customer or tow company as a receipt and NOT submitted to the Department.</p> <p>NOTE: Section 713.78(13)(b), Florida Statutes, for purposes of this subsection only, the amount of the wrecker operator's lien for which the department will prevent issuance of a license plate or revalidation sticker may not exceed the amount of the charges for recovery, towing, and storage of the vehicle or vessel for 7 days.</p> <p>3. DISPUTE OR POSTING OF BOND FOR WRECKER OPERATOR'S LIEN:</p> <p>a. The owner or co-owner may dispute a wrecker operator's lien on form HSMV 82498, Notification of Dispute on a Wrecker Operator's Lien for a Motor Vehicle, Mobile Home or Vessel, and have the lien removed, if ONE of the following apply:</p> <p>1. The owner presents a notarized bill of sale proving that the vehicle, vessel, or mobile home was sold in a private or casual sale before the motor vehicle, vessel, or mobile home was recovered, towed, or stored.</p> <p>NOTE: If the bill of sale is NOT notarized, it is not acceptable. However, s. 92.525, Florida Statutes, provides that a signed written declaration can substitute for a notarized oath if it contains the following language: "Under penalties of perjury, I declare that I have read the foregoing (document) and that the facts stated in it are true." The written declaration must be printed or typed at the end of or immediately below the document being verified and above the signature of the person making the declaration. By signing a document with that language, a person can make a sworn written statement without having it notarized. The notary or perjury clause date on the bill of sale must be dated prior to the date of tow. However, there may be circumstances that qualify as an exception to this rule. Those will be handled on a case by case basis. The tax</p>	

collector's office or license plate agency must contact the Field Support Center for authorization/assistance.

2. The owner presents proof that the Florida Certificate of Title for the vehicle, vessel, or mobile home was sold to a licensed dealer as defined in s. 319.001, Florida Statutes, before the vehicle, vessel, or mobile home was recovered, towed, or stored.
 3. The records of the department were marked "sold" prior to the date of the tow.
- b. A person against whom a wrecker operator's lien has been imposed may alternatively obtain a discharge of the lien by filing a complaint, challenging the validity of the lien or the amount thereof, in the county court of the county in which the vehicle, vessel, or mobile home was ordered removed.

PAGE #

RS-50-09

STATE OF FLORIDA
Division of Motorist Services

PROCEDURE #

RS-50

SUBJECT:

WITHHOLDING REGISTRATION FOR FAILURE TO PAY FINES (D6), DELINQUENT SUPPORT, A BAD CHECK, DRIVING UNDER THE INFLUENCE, UNPAID REGISTRATION FEES TO A DEALER, **FAILURE TO COMPLY AND/OR APPEAR FOR A RED LIGHT CAMERA NOV HEARING**, FAILURE TO SURRENDER VEHICLE/VESSEL, OR A WRECKER OPERATOR'S LIEN

The person will post a cash or surety bond or other adequate security equal to the amount of the wrecker operator's lien to ensure the payment of such lien in the event she or he does not prevail.
Upon posting of the bond and payment of the applicable fee, the clerk of the court shall issue a certificate notifying the department of the posting of the bond and directing the department to release the wrecker operator's lien.

- c. A person against whom a wrecker operator's lien has been imposed and does not object to the lien but cannot discharge the lien by payment because the wrecker operator has moved or gone out of business, may obtain a discharge of the lien by posting a cash or surety bond or other adequate security equal to the amount of the wrecker operator's lien. Upon posting of the bond and the payment of the applicable fee, the clerk of the court shall issue a certificate notifying the department of the posting of the bond and directing the department to release the wrecker operator's lien. Once the Clerk of Court provides the customer the certificate, the customer will take it to the tax collector's office. The tax collector will remove the stop and fax a copy of the certificate to (850) 617-5136 or 617-5137. The certificate may also be mailed to:

Department of Highway Safety and Motor Vehicles
Attn: Field Support Center, 2900 Apalachee Parkway, MS-67
Tallahassee, Florida 32399

The department will then mail the wrecker operator and the clerk of court notification (Exhibit D) that the wrecker operator must claim the security within 60 days. If the security is not claimed, it will be released back to

the person that posted it, less any applicable clerk's fee.

- d. The department shall deny any dispute and maintain the registration stop if the wrecker operator has provided the department with a certified copy of the judgment of a court which orders the owner or co-owner to pay the wrecker operator's lien. In such a case, the allowed amount of the wrecker operator's lien may be increased to include no more than \$500 of the reasonable costs and attorney's fees incurred in obtaining the judgment.

NOTE: When a Tax Collector office is satisfying or removing a Wrecker Operator's Lien, the user must create a scan coversheet with required documentation in Section G. 3. a, b, c, or d and submit this to the Department to be imaged. The system will print one copy of the form HSMV 82041 with NO bar code, which is to be given to the tow company as a receipt and NOT submitted to the Department.

PAGE #

RS-50-10

STATE OF FLORIDA
Division of Motorist Services

PROCEDURE #

RS-50

SUBJECT:

WITHHOLDING REGISTRATION FOR FAILURE TO PAY FINES (D6), DELINQUENT SUPPORT, A BAD CHECK, DRIVING UNDER THE INFLUENCE, UNPAID REGISTRATION FEES TO A DEALER, **FAILURE TO COMPLY AND/OR APPEAR FOR A RED LIGHT CAMERA NOV HEARING**, FAILURE TO SURRENDER VEHICLE/VESSEL, OR A WRECKER OPERATOR'S LIEN

III. RELEASE OF SUSPENSIONS/STOPS:

- A. A suspended motor vehicle or vessel registration cannot be reinstated until the registrant has obtained clearance and complied with all requirements of law.
- B. When immediate registration renewal is needed on a vehicle with a D6 stop or support stop, the stop must be cleared at a DL office before the renewal request may be processed at the tax collector's office or license plate agency.
- C. When a D6 suspension is cleared, the local driver license office will issue a receipt or letter of clearance. If there are other tickets that have not been satisfied through the courts, the driver license will remain under suspension until all records have been cleared. Vehicle registrations must not be processed until all records have been cleared.
- D. When a support stop has been placed in FDLIS/FRVIS, the customer must provide proof of satisfaction to the Division of Motorist Services or a driver license office in order to have the stop removed. Once the stop is removed, the extension of a registration transaction may be processed.
- E. When a D6 suspension is "pending" for a customer, they may have it cleared/removed prior to the pending suspension date by paying their fines to the court. The customer will be issued proof of clearance from the court, which may be submitted directly to a driver license office or faxed to the Division of Motorist Services at (850) 617-2000 in

order to clear the pending suspension.

IV. MISCELLANEOUS:

A. The following stops are against the customer:

1. Failure to pay fines (D6).
3. Delinquent support payment.
3. Dishonored check(s).
4. A wrecker operator's lien.

B. Any individual whose driver license and registration has been suspended is required to return the driver license, license plate, and registration to any driver license office or county license plate agency. Any law enforcement agency is authorized to seize the driver license, license plate, and registration of the individual who fails to surrender these items while under suspension.

PAGE #

RS-50-11

STATE OF FLORIDA
Division of Motorist Services

PROCEDURE #	SUBJECT:
RS-50	WITHHOLDING REGISTRATION FOR FAILURE TO PAY FINES (D6), DELINQUENT SUPPORT, A BAD CHECK, DRIVING UNDER THE INFLUENCE, UNPAID REGISTRATION FEES TO A DEALER, FAILURE TO COMPLY AND/OR APPEAR FOR A RED LIGHT CAMERA NOV HEARING , FAILURE TO SURRENDER VEHICLE/VESSEL, OR A WRECKER OPERATOR'S LIEN
<p>C. The Division of Motorist Services places support stops for delinquency cases. The Division will reinstate the driving privilege and allow registration of a motor vehicle only if the individual is in compliance. This law does not apply to mobile homes or parking permits.</p> <p>D. Registration renewals are withheld on a D6 suspension, support suspension (if the vehicle is SOLELY owned by the delinquent person), dishonored check(s), or a wrecker operator's lien on the owner and co-owner (if applicable).</p> <p>E. If a suspension appears to be on an incorrect record for a D6 or support stop, an authorized person in the tax collector's office or license plate agency will verify the stop with the Division of Motorist Services. After verification, if the suspension is on the incorrect record, the Division of Motorist Services may remove the stop. Once the stop is removed, the extension of a registration transaction may be processed.</p> <p>F. When processing a FRVIS transaction for a wrecker operator's lien against an owner and a co-owner, the lien will be processed against both owners within the same transaction (by adding an occurrence). When the wrecker operator's lien is satisfied on an owner, it is satisfied on all owners.</p>	

- G. Only a towing company should be able to obtain a blank form HSMV 82497, Notice or Discharge of a Wrecker Operator's Lien for a Motor Vehicle, Mobile Home or Vessel, from the tax collector's office or license plate agency. However, once the towing company completes a form HSMV 82497 for release of a lien, they may choose to give the completed form to the customer, in lieu of submitting it to the tax collector's office themselves.
- H. If a customer purchases a vehicle (NEWLY acquired), a D6, Dishonored Check(s), Support Suspension, Repossession Recovery Attempt, or Wrecker Operator's Lien will not prevent the customer from obtaining an original registration. The customer may NOT use a license plate from another vehicle to exempt the initial registration fee when processing an original registration for a newly acquired vehicle for the above customer stops. In addition, a customer is NOT allowed to obtain an original registration on a vehicle that he/she already owns.
- I. A Wrecker Operator's Lien expires five years after the date of filing pursuant to section 713.78 (13) (c) (4), Florida Statutes. Therefore, when applicable, the stop should be deleted on FRVIS using the clear type of "AD" for administrative. A note in the comments field should be added indicating the stop is being removed due to the five-year time limit.
- J. A copy of the "Order of Suspension" letter, which is mailed to the person with a D6 suspension, is provided as Exhibit A.

PAGE #

RS-50-12

STATE OF FLORIDA

Division of Motorist Services

PROCEDURE #	SUBJECT:
RS-50	WITHHOLDING REGISTRATION FOR FAILURE TO PAY FINES (D6), DELINQUENT SUPPORT, A BAD CHECK, DRIVING UNDER THE INFLUENCE, UNPAID REGISTRATION FEES TO A DEALER, FAILURE TO COMPLY AND/OR APPEAR FOR A RED LIGHT CAMERA NOV HEARING , FAILURE TO SURRENDER VEHICLE/VESSEL, OR A WRECKER OPERATOR'S LIEN
K.	A copy of the "Order of License Revocation, Suspension or Cancellation" letter, which is mailed to the person who is being canceled for a dishonored/bad check, is provided as Exhibit B.
L.	A copy of the "Order of License Revocation, Suspension, or Cancellation" letter, which is mailed to the person who is being suspended for failure to pay or comply with an order for support delinquency, is provided as Exhibit C.
M.	The following is a link to the Child Support Service Centers: http://dor.myflorida.com/dor/childsupport/phone.html
N.	A copy of "Notification of Posted Bond" letter, which is mailed to the towing company and clerk of courts, is provided as Exhibit D.

PAGE #

RS-50-13



STATE OF FLORIDA

EXHIBIT A

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

DIVISION OF MOTORIST SERVICES

NEIL KIRKMAN BUILDING

TALLAHASSEE, FLORIDA 32399-0570

ORDER OF SUSPENSION

Driver license or control number:

The clerk of the court listed below has notified us that you

As a result, your driving privilege will be suspended indefinitely on

You must clear all issues

before the suspension date to avoid additional fees. To avoid the suspension, please follow these steps:

1. Make arrangements to satisfy the court's requirements (including providing any necessary documentation) by calling or visiting:

2. Obtain a clearance document(s) from the court. This document must include the ticket/summons number(s) and either the court seal or judge's signature. (If you have already resolved the issue, you still need to get the clearance document from the court?).
3. Take the clearance document(s) you receive from the court to any Florida driver license or tax collector office before

If you satisfy the court's requirements on or after and this is the only issue on your driving record, you will owe a service fee to reinstate your driving privilege. Some Florida courts will accept this payment which will reinstate your license without visiting a driver license or tax collector office (Note: all tickets must be satisfied before the may be paid).

The Department cannot grant extensions for additional time or waive fees for any amounts due, so please resolve this matter with the court before the suspension date.

RS-50

You can check the status of your driver license 24 hours a day 7 days a week online at www.flhsmv.gov, then select "Driver License Check" under popular links and enter your Florida driver license number (or control number listed above)! For additional information about paying tickets, you can visit www.flhsmv.gov/ddl/fagsuspend.html.

Note: Do not send payments or proof of school completion to this department. You must pay the court and/or present to them any other documentation that may be necessary in order to obtain the clearance document(s). Only the court can tell you how much the tickets are and how to resolve this matter. If you believe this suspension is incorrect, contact the court. The court will then provide documents to us to update your record.

This order has been filed in the official records of the Department of Highway Safety and Motor Vehicles on the above date and a copy has been provided to you by first class mail as required by section 322.251, Florida Statutes. You may seek review of this order within 30 days of the date of this order by filing a petition for writ of certiorari as provided in section 322.31, Florida Statutes.

Maureen Johnson

Maureen Johnson, Chief
Bureau of Records

Clayton B. Walden

Clayton B. Walden, Director
Division of Motorist Services



STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES
DIVISION OF MOTORIST SERVICES
NEIL KIRKMAN BUILDING
TALLAHASSEE, FLORIDA 32399-0570

EXHIBIT B

ORDER OF LICENSE REVOCATION, SUSPENSION, OR CANCELLATION

DRIVER LICENSE NUMBER

DATE OF BIRTH

THIS IS TO NOTIFY YOU THAT YOUR DRIVING PRIVILEGE IS

FOR A PERIOD OF

BY THE STATE OF FLORIDA, EFFECTIVE

THE REASON FOR THIS ACTION IS BASED

ON THE FOLLOWING:

FLORIDA LAW REQUIRES THAT YOU surrender all driver licenses in your possession by the effective date of this order. If your license has already been surrendered, send a letter explaining WHEN and TO WHOM it was surrendered.

Persons suspended under the point system, those revoked as a habitual offender, or revoked for driving while intoxicated, must enroll into *and* complete the appropriate driver improvement course or alcohol education school as a requirement for reinstatement of driver license. For alcohol related offenses, the telephone numbers in each county are listed on the attached sheet. For non-alcohol related offenses, the courses, schools and telephone numbers may be found in your local telephone directory under "driving instruction". You should take this order with you to the school when you enroll.

Providing you have complied with this order when your suspension or revocation period is over, you can report to any driver license or tax collector office in Florida to take the required examination to become relicensed. At that time, you must present proof of a valid automobile liability insurance policy using the actual policy or a valid insurance I.Q. card, and present enrollment or certification that you have complied with the driver improvement school requirements as explained above.

HOW TO APPLY FOR ADMINISTRATIVE HEARING TO REVIEW YOUR RECORD: If you believe that you have any legal basis to show cause why this action is unjustified, you may request a RECORD REVIEW at which time any argument, other than the validity of a conviction, may be presented to a hearing officer for review. *to* request for a record review shall not toll the time in which to file a writ of certiorari in accordance with S. 322.31 F.S.

If you believe there is an error in a court entry on your driving record as listed above, you must contact the court involved as the court must send written certification to our department for a Review under 5.120.5/121 F.S. before any court entry or action may be changed. If you have questions about this action, contact the driver license examining office in your area.

This order has been filed in the official records of the Department of Highway Safety and Motor Vehicles on the day and year written above. Appeals of this order *may be* initiated within 30 days of the date of this order by following the procedure specified in 5.322.31 F.S.

Maureen Johnson

Maureen Johnson, Chief
Bureau of Records

Clayton B. Walden

Clayton B. Walden, Director
Division of Motorist Services

INFORMATION REGARDING ADMINISTRATIVE HEARINGS

IF THIS ACTION WILL RESULT IN HARDSHIP, IF ELIGIBLE YOU MAY APPLY FOR AN OCCUPATIONAL DRIVER LICENSE BY REQUESTING AN ADMINISTRATIVE HEARING WHICH WILL BE CONDUCTED IN YOUR AREA. ADMINISTRATIVE REVIEWS OFFICES ARE LOCATED THROUGHOUT THE STATE WHERE YOU CAN PERSONALLY APPEAR ON TUESDAY THRU MONDAY FROM 8:00 AM. TO 5:00 P.M. TO APPLY FOR A HEARING. APPLYING AT ANY OF THESE OFFICES WILL RESULT IN A HEARING AT THE EARLIEST DATE POSSIBLE. THESE OFFICES ARE LISTED ALPHABETICALLY ON THE ATTACHED SHEET.

APPLICANTS WHO DO NOT LIVE NEAR ONE OF THESE OFFICES WHO WISH TO APPLY FOR A HEARING MAY TAKE THIS ORDER, ALONG WITH YOUR LICENSE, TO ANY FLORIDA DRIVER LICENSE OR TAX COLLECTOR OFFICE. THE EXAMINER WILL PROVIDE YOU WITH THE HEARING APPLICATION FORM AND MUST SUBMIT IT ALONG WITH YOUR LICENSE TO THE NEAREST ADMINISTRATIVE REVIEWS OFFICE. THE HEARING WILL THEREAFTER BE SCHEDULED IN YOUR AREA AND YOU WILL BE NOTIFIED OF THE DATE, TIME, AND PLACE BY MAIL.

ALL APPLICANTS MUST PAY A REINSTATEMENT FEE FOR REINSTATEMENT. PERSONS APPLYING FOR AN OCCUPATIONAL DRIVER LICENSE ARE REQUIRED BY FLORIDA LAW TO ENROLL INTO AND COMPLETE A DRIVER IMPROVEMENT OR SUBSTANCE ABUSE EDUCATION COURSE AS REQUISITE TO BEING RELICENSED. ALL FIRST OFFENDER DUI REVOCATIONS MUST COMPLETE THE SUBSTANCE ABUSE EDUCATION COURSE BEFORE A HARDSHIP LICENSE MAY BE ISSUED. POINT SYSTEM AND OTHER SUSPENSION CASES APPLYING FOR A HEARING NEED ONLY ENROLL INTO THE DRIVER IMPROVEMENT COURSE TO BE ELIGIBLE FOR A HARDSHIP LICENSE. IF THE COURSE IS NOT COMPLETED WITHIN 90 DAYS, THE HARDSHIP LICENSE WILL BE CANCELLED UNTIL THE COURSE IS COMPLETED.

REQUIREMENTS FOR ADMINISTRATIVE HEARINGS: Anyone suspended or revoked for any of the following reasons must mail in their driver license, and any request for a hearing should be made to one of the offices listed on the attached sheet.

If you believe there is an error in any entry on your driving record you must contact the court involved. The court must send written certification to our Department for a Review under S. 120.0514, F.S. before any court entry may be changed. If you have any questions about this action, contact the driver license or tax collector office in your area.

1. FAILURE TO PAY TRAFFIC FINE, ANSWER COURT SUMMONS, OR ATTEND DRIVER IMPROVEMENT SCHOOL.	Must contact court and meet their requirements. The court will inform you of what is necessary to have your license reinstated.
2. HABITUAL TRAFFIC	Must serve one year of revocation before eligible for hearing on occupational license but upon application, may receive a hearing to show why license should not be revoked.
3. REVOKED FOR DUI FOR AT LEAST 5 YEARS BUT LESS THAN 10 YEARS. IF YOU WERE INCARCERATED FOR THIS OFFENSE YOUR REVOCATION WILL BEGIN ON THE DATE YOU ARE RELEASED FROM INCARCERATION.	Must serve 12 months of revocation period with no usage of alcoholic beverages, nor driving before being eligible for a hardship license. Must then contact an Administrative Reviews Office listed on attached sheet and they will explain what is necessary for reinstatement
4. REVOKED FOR DUI FOR A PERIOD OF 10 YEARS. IF YOU WERE INCARCERATED FOR THIS OFFENSE YOUR REVOCATION PERIOD WILL BEGIN ON THE DATE YOU ARE RELEASED FROM INCARCERATION.	Must serve 24 months of revocation period with no usage of alcoholic beverages, for one full year, nor driving before being eligible for a hardship license. Must then contact an Administrative Reviews Office listed on attached sheet and they will explain what is necessary for reinstatement.
5. SUSPENDED TWICE OR MORE FOR REFUSAL TO TAKE TEST 322.261 AND 322.2615, F.S.	Florida Law prohibits reinstatement even on a restricted basis, until suspension period expires. No exceptions allowed.
6. CONVICTED OF DUI MANSLAUGHTER AND HAS NO PRIOR DUI RELATED OFFENSES. IF YOU WERE INCARCERATED FOR THIS OFFENSE YOUR REVOCATION WILL BEGIN ON THE DATE YOU ARE RELEASED FROM INCARCERATION.	Revoked permanently: May be eligible for hardship reinstatement upon the expiration of 5 years after the date of such revocation or the expiration of five years after the termination of any term of incarceration under S.316.193, F.S. or former Section 316.1931, F.S., whichever date is later and the following requirements have been met <ol style="list-style-type: none">1. Has not been arrested for a drug-related offense during the 5 years preceding the filing of the petition.2. Has not driven a motor vehicle without a license for at least 5 years prior to the hearing.3. Has been alcohol and drug-free for at least 5 years prior to the hearing; and4. Has completed a DUI program licensed by the department. Must then contact an Administrative Reviews office and they will explain what is necessary for reinstatement.
7. INCAPABLE OF OPERATING A MOTOR VEHICLE SAFELY 8. FAILURE TO PASS EXAMINATION 9. INADEQUATE VISION 10. PHYSICAL OR MEDICAL REASONS	Not entitled to a hardship license - must meet Department's requirements and pass the required driver's examination.
11. MURDER RESULTING FROM THE OPERATION OF A MOTOR VEHICLE.	Not entitled to a hardship license.

DRIVER IMPROVEMENT SCHOOLS

ANYONE REVOKED FOR DRUNKEN DRIVING WHOSE REVOCATION PERIOD HAS EXPIRED MUST ENROLL INTO THE ALCOHOL EDUCATION COURSE BEFORE REINSTATEMENT OF THEIR DRIVER LICENSE. PERSONS SUSPENDED FOR POINTS WHOSE SUSPENSION PERIOD HAS EXPIRED MUST ENROLL INTO THE DRIVER IMPROVEMENT SCHOOL BEFORE REINSTATEMENT OF THEIR DRIVER LICENSE. AFTER REINSTATEMENT IN THESE CASES, IF THE REQUIRED SCHOOL IS NOT COMPLETED WITHIN 90 DAYS, THE LICENSE WILL BE CANCELLED UNTIL THE REQUIRED COURSE IS COMPLETED. THE ADVANCED DRIVER IMPROVEMENT SCHOOLS IN FLORIDA, CAN BE LOCATED IN YOUR TELEPHONE DIRECTORY UNDER DRIVING INSTRUCTIONS. SUBSTANCE ABUSE EDUCATION COURSES IN EACH COUNTY ARE LISTED ON THE ATTACHED SHEET.

HSMV B/210U PRSC MULTI (REV. 07/01/2011)



STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES
DIVISION OF MOTORIST SERVICES
NEIL KIRKMAN BUILDING
TALLAHASSEE, FLORIDA 32399-0570

EXHIBIT C

ORDER OF SUSPENSION

Driver license or control number:
The Department will suspend your driving privilege and vehicle
registrations on because of the following:

Case Number:

Failed to pay or comply with an order for child support/alimony/genetic testing.

To avoid the suspension, follow these instructions:

1. Contact Support Enforcement Office
2. Satisfy the requirements. If the office above is the Department of Revenue, they will update your record electronically within two business days. If the office above is a court, obtain a clearance document with a judge's signature or a court seal showing that you have fully complied with the court's requirements. Take the court compliance to the nearest Florida driver license or tax collector office for immediate clearance.
3. If you comply on or after _____ please pay _____ at your local driver license or tax collector office. (If you pay at a tax collector's office that offers driver license services, you will pay an additional _____ service fee.) The Department cannot grant extensions for additional time, so please resolve this matter before the suspension date.
4. For alimony and genetic testing, obtain an affidavit from the Department of Revenue or the court stating that you have satisfied all requirements. You must present the original affidavit at any Florida driver license or tax collector office for reinstatement. As indicated above, the Department cannot grant extensions for additional time, and a service fee will apply if you clear this on or after _____
5. After taking the actions above, you can check to see if your license is clear by going to www.flhsmv.gov, select driver license check and enter your driver license number (or control number listed above). Or call our automated phone system at 850/617-2000, say driver license and speak your driver license number or social security number. If the system tells you your license is valid, it is clear and no further action is needed. If the line is busy, try calling evenings or weekends since this service is available 24 hours a day, seven days a week.

If you are out of state and need to mail affidavit(s) and/or reinstatement fee(s) to us, please allow 10 business days to clear the record. Make sure you mail all materials to clear your license in one envelope with any fees that are due. Make checks payable to DHSMV and write your driver license number on the comments line. Mail to:

BMC
P.O. Box 5775
Tallahassee, FL 32314-5775

This order has been filed in the official record of the Department of Highway Safety and Motor Vehicles on the above date and a copy has been provided to licensee by first class mail as required by section 322.251, Florida Statutes. You may seek review of this order within 30 days of the date of this order by filing a petition for writ of certiorari as provided in section 322.31, Florida Statutes.

If you believe that you have a legal basis to show cause why this action is unjustified, you may request a hearing at any Administrative Reviews Office to submit evidence that your license should not be revoked, suspended or cancelled. You may present your evidence to a hearing officer. You may not argue that a court conviction is invalid. A request for a hearing does not stop the 30 days you have to file a petition for circuit court review under section 322.31, Florida Statutes.

Maureen Johnson

Maureen Johnson, Chief
Bureau of Records

Clayton B. Walden

Clayton B. Walden, Director
Division of Motorist Services

EXHIBIT D
Notification of Posted Bond

XX/XX/XXXX

CERTIFIED MAIL

Joe's Towing Service
123 Stump Road
Tallahassee, FL 32311

To Whom It May Concern:

This is in reference to a Wrecker Operator Lien issued to (enter name), in the amount of (enter amount) for a vehicle with identification number (enter VIN#), dated (enter date).

Please be advised bond has been posted through the Clerk of Court, therefore you must claim the security within 60 days of this notice. If the security is not claimed within 60 days of this notice, the Clerk of Court is directed to refund the security, less the applicable clerk's fees, back to the person that posted it. Please contact the Clerk of Court, (enter county name), (enter city and state).

For further information or assistance, you may contact Bureau of Motorists Assistance, Customer Service Center at (850) 617-2000.

Sincerely,

Julie Baker, Chief
Bureau of Issuance Oversight
Division of Motorist Services

Cc: (Enter Clerk of Court's name)

JB/mem

RS-50